

REMARKS

Claims 1-12 were pending in this application when the present Office Action was mailed (August 6, 2003). Claims 1, 2 and 10 have been amended in the present response and accordingly, claims 1-12 remain pending in this application.

In the present Office Action, the drawings, specification and claims were objected to and the pending claims were rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) The drawings stand objected to as failing to comply with 37 C.F.R. § 1.84(p)(4) and (5);

(B) The specification stands objected to on the basis of several informalities;

(C) Claim 10 stands objected to as failing to include a period at the end of the claim;

(D) Claims 2-6 stand rejected under 35 U.S.C. § 112 as being indefinite;

(E) Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,344,539 to Shinogi et al. ("Shinogi"); and

(F) Claims 1-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over one or more of Shinogi and U.S. Patent No. 6,174,425 to Simpson et al. ("Simpson"), U.S. Patent No. 6,197,182 to Kaufman et al. ("Kaufman"), U.S. Patent No. 6,132,586 to Adams et al. ("Adams"), U.S. Patent No. 6,024,856 to Haydu et al. ("Haydu"), and U.S. Patent No. 6,103,096 to Datta et al. ("Datta").

The undersigned attorney wishes to thank the Examiner for engaging in a telephone conference on December 8, 2003. During the December 8 telephone conference, the Examiner and the undersigned attorney discussed the pending claims and the applied references. The Examiner agreed that in light of the amendments made to claim 1, the pending rejections under Sections 102 and 103 of claims 1-12 based on the above references will be withdrawn. The following remarks further summarize the amendments made to the present application.

A. Response to the Objection to the Drawings

Formal versions of the drawings for this application have been filed herewith, and include amendments to address the Examiner's objections. Accordingly, the objections to the drawings should be withdrawn.

B. Response to the Objection to the Specification

The specification has been amended to correct the informalities identified by the Examiner, and accordingly, the objection to the specification should be withdrawn.

C. Response to the Objection to Claim 10

Claim 10 has been amended to include a period at the end of the claim and accordingly, the objection to claim 10 should be withdrawn.

D. Response to the Section 112 Rejection

Claims 2-6 were rejected under 35 U.S.C. § 112 as being indefinite as a result of a limitation in claim 2. Claim 2 has been amended in accordance with the Examiner's suggestion and accordingly, the Section 112 rejections of claims 2-6 should be withdrawn.

E. Response to the Section 102 Rejection of Claim 1

Claim 1 has been amended in a manner agreed to by the Examiner during the December 8 telephone conference to overcome the outstanding Section 102 rejection. In particular, the Shinogi reference fails to disclose or suggest the features of claim 1 in its current form. Accordingly, the Section 102 rejection of claim 1 should be withdrawn.

F. Response to the Section 103 Rejections

In light of the agreement between the undersigned attorney and the Examiner during the December 8 telephone conference, the Section 103 rejections of claims 1-12 should be withdrawn. In particular, none of the applied references discloses or suggests the features of claim 1 in its current form, nor the features of the claims depending from claim 1.

G. Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3257.

Respectfully submitted,

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